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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,421	03/18/2002	David Enrique Sancho	A-363-PCTUS	8897

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EXAMINER

SANTOS, PATRICK J D

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 07/12/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,421

Applicant(s)

SANCHO ET AL.

Examiner

Patrick J Santos

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2002.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-5 is/are rejected.
7) ☒ Claim(s) 1-5 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 18 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 1-5 are objected to because of the following informality: in Claim 1, the word “accessible” is misspelled “accessibile” (Specification: p. 10, clm. 1, ln. 5). Claims 2-5 inherit same deficiency from Claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,523,116 issued to Berman (hereafter Berman ‘116).

Claim 1:

Regarding Claim 1, Berman ‘116 discloses: a system for providing personal contact management comprising:

- a) business cards imprinted with a unique personal identification code, said unique personal identification code being associated with personal details of an individual (Berman ‘116: col. 2, lns. 27-35); and

- b) An Internet-based server remotely accessible by Receivers using Internet browser equipped client devices (Berman '116: col. 2, lns. 35-38; col. 2, lns. 53-55 - note a public provider accessible over the Internet reads on being accessible to an Internet browser), said server having a database comprising records of said unique personal identification codes and the personal details associated therewith (Berman '116: col. 3, lns. 36-48; col. 4, lns. 53-59 - note "the targeted agency accesses database 160 to obtain the user's encrypted information"); whereby a Receiver can search for, download and locally save said personal details of an individual by inputting said unique personal identification code (Berman '116: col. 3, lns. 36-48 - note the "targeted agency" after accessing the database stores the downloaded information into the local computer).

Claims 4:

Regarding Claim 4, Berman '116 discloses all the limitations of Claim 1 (supra).

Additionally, Berman '116 discloses:

- (Claim 4) wherein said personal identification code may have subvariations, whereby the inputting of different subvariations results in granting to different Receivers different levels of access, thereby permitting custom tiering of the kind of personal details which will be available to the Receiver entering the code.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-3, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berman '116 in view of the publication, "Plug-In Guide" published by Netscape Communications (TM), also available online at:

<http://developer.netscape.com/docs/manuals/communicator/plugin/basic.htm#1005533>

page last updated on January 15, 1997, (hereafter Netscape '97).

Claim 2:

Regarding Claim 2, Berman '116 discloses all the limitations of Claim 1 (supra). Additionally, Berman '116 discloses a tracking program (Berman '116: col. 4, lns. 4-8 – software on the agency's computer to update demographic data reads on a tracking program). However, Berman '116 does not explicitly disclose: wherein said server further downloads to said client device a tracking program.

Netscape '97 discloses: wherein said server further downloads to said client device a program (Netscape '97: p. 2 of 14, "With the Plug-in API, you can create dynamically loaded plug-ins that can... obtain data from the network using URLs" – note dynamically loading reads on the server further downloading a program).

It would have been obvious to a person having ordinary skill in the art to enhance the tracking program of Berman '116 with the plug-in technology of Netscape '97. The motivation to combine is suggested by Netscape '97 which discloses that plug-in technology provides the advantage of providing access to an Internet friendly platform for applications such as the Berman '116 tracking program (Netscape '97: p. 1 of 14, "provides an API... making it

relatively easy to leverage existing native code libraries or convert existing applications to take advantage of the web”).

Claim 3:

Regarding Claim 3, Berman ‘116 and Netscape ‘97 in combination disclose all the limitations of Claim 2 (supra). Additionally, Berman ‘116 and Netscape ‘97 in combination disclose whereby said Receiver can optionally activate said tracking program thereby sending an authorization to said server requesting automatic updating of future changes to said personal details associated with said unique personal identification code (Berman ‘116: col. 4, lns. 4-14).

Claim 5:

Regarding Claim 5, Berman ‘116 and Netscape ‘97 in combination disclose all the limitations of Claim 3 (supra). Additionally, Berman ‘116 and Netscape ‘97 in combination disclose whereby the individual broadcasts changes in the personal details associated with said unique personal identification code by inputting said new data into said database on said Internet server through said browser of said client device, and activating programming to send change notifications to those Receivers who have authorized automatic updating (Berman ‘116: col. 3, ln. 62 to col. 4, ln. 14 ; col. 3, lns. 53-61).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure.

- U.S. Patent No. 6,101,477 issued to Hohle et al., “Methods and Apparatus for a Travel-Related Multi-Function Smartcard.” Reference discloses specific travel-related companies, e.g. airlines, car

reservations, to take identification data from a smartcard and various operations to obtain personal data.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick J.D. Santos whose telephone number is 703-305-0707. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrick J.D. Santos
July 1, 2004


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